[Sri B. Gopala Reddi] [4th December 1947

the country. The estimated recurring extra cost on account of officers and staff is Rs. 37,13,300 per annum ultimately and the cost in 1947–48 is expected to be Rs. 9,28,300. The non-recurring cost involved is Rs. 77,41,000.

" The next important item is rural water-supply under item (5) —Public Health. We wanted to have a separate fund created for the purpose, to the extent of Rs. 1 crore to start with, as hon. Members are aware of the urgency of providing protected water-supply in the rural parts of the Province. There was an insistent demand, as hon. Members know, that a separate fund should be created for the purpose and that priority should be given to rural water-supply schemes. Just now we had an occasion to discuss about cholera and the imperative need for providing protected water-supply to prevent cholera in the rural parts. This fund is created with Rs. 1 crore to start with and a sum of Rs. 15 lakhs is to be set apart from the current year's revenue.

" Then item (11)—Miscellaneous Departments—is also important. We propose to give additional grants for Harijan hostels to the extent of Rs. 2,62,105 per annum.

" The other items are only ordinary administrative matters and I need not dilate upon them. We will have a general discussion of this Supplementary Demand on the 8th of this month, when we meet here."

MR. PRESIDENT :—" These estimates will be discussed on the 8th of this month."

VI.—GOVERNMENT BILLS.

(1) THE MADRAS PROBATION OF OFFENDERS (AMENDMENT) BILL, 1947 (L.A. BILL No. 34 OF 1947).

THE HON. SRI K. MADHAVA MENON :—" Mr. President, Sir, I move—

> '*that the Madras Probation of Offenders (Amendment) Bill*[a], *1947 (L.A. Bill No. 34 of 1947), as passed by the Assembly be taken into consideration at once.*'

" Sir, under the Madras Probation of Offenders Act, 1936, a Probation Officer is a person to be approved by the Provincial Government and any other person not approved by the Government is not deemed to be a Probation Officer in the opinion of the Court. The Government in April 1946 provincialized the posts of Probation Officers administering the Madras Probation of Offenders Act, 1936, and decided that the Chief Probation Officer should be included in the Provincial Srevice and that the district probation officers should be included in the subordinate service, their appointments being made by the Inspector-General of Prisons. It is not possible under the Act as it now stands for the Inspector-General of Prisons to appoint district probation officers and all appointments have to be made by the Government, as otherwise they will

[a] Printed as Appendix VII on page 50 infra.

not be recognized in the court of law. It is now proposed to amend the Act so as to enable the Inspector-General to appoint these district probation officers without the Government directly making such appointments and making them legal in the eye of the law. Prior to 1946, the Inspector-General had made these appointments and so provision has been made in the present Bill to validate such appointments already made, by making him the person authorized by the Government to make such appointments. The Bill is after all of a routine nature and I move that it be taken into consideration at once."

MR. PRESIDENT :—" The question is that the Bill further to amend the Madras Probation of Offenders Act, 1936 (L.A. Bill No. 34 of 1947), as passed by the Assembly be taken into consideration at once."

* SRI R. SURYANARAYANA RAO :—" Sir, I have only one point to ask, which I trust the Hon. Minister will explain. I want to know, Sir, if it would not be better if it is made clear in the Bill that the Chief Probation Officer is to be appointed by the Provincial Government and that other Probation Officers are to be appointed by him, and for this purpose, clause 2 of this Bill can be amended thus : '2. In the Madras Probation of Offenders Act, 1936, in section 9 (1) (*a*) after the words " appointed to be probation officers by the Provincial Government ", the words " as the Chief Probation Officer by the Government " be also inserted.'

" Then Sir, there is also the question of the appointment of Women Probation Officers. The question is coming up shortly and I am anticipating what Mrs. Clubwala is going to say on that matter in connexion with her own resolution. I plead with her, Sir, that that question may also be considered in this connexion, so that when the demand for more Probation Officers increases, the question of appointing Women Probation Officers may also be considered by the Government."

* MRS. CLUBWALA :—" Mr. President, Sir, now that the Government have taken over the administration of this work in their own hands, I would very much like the Hon. Minister in charge to appoint a separate officer to look after juvenile offenders. Two years ago the probation of juvenile offenders was dealt with by separate officers. Now both the juvenile and other probation work are administered together by the same officers and to my mind it is not working satisfactorily, because these probation officers have so much work to do and they will not be in a position to attend to juvenile work with any degree of satisfaction. Sir, I have got figures of juvenile cases for the years 1943–44. When the juvenile probation was done separately, the number of cases finished successfully in 1943 and 1944 was 129 and 172 respectively. The number of cases re-arrested and placed on probation a second time was 5 and 3 respectively, whereas since 1946 when both juvenile and other work were clubbed together, only 89 cases have been dealt with. By taking up this probation work, the Government would be saving a lot of money, because they will not be

having so many children in certified schools. I would, therefore, request the Hon. Minister to bear this point in mind and see if he can appoint another Woman Probation Officer, because there is only one Woman Probation Officer who has to deal with all juvenile and adult offences in the city and because the area of her work is a very wide one."

* THE HON. SRI K. MADHAVA MENON :—" Sir, as regards the point raised by my hon. Friend, Mr. Suryanarayana Rao, as I have already said, the Government have provincialized the services of these Probation Officers and the Chief Probation Officer shall be an officer of the Madras Provincial Service. The Madras Provincial Service Officers can be appointed only by the Government and the District Probation Officers who belong to the subordinate service are to be appointed by the Inspector-General of Prisons. As the courts would not recognize such appointments, unless the Act is amended to empower the Inspector-General to make such appointments, this amendment is sought to be made. Of course, this amendent would not in any way give power to the Inspector-General to appoint Chief Probation Officer without the approval of the Government.

" Regarding the observations of the hon. Lady Member, Mrs. Clubwala, in regard to the need for attending to probation of juvenile cases, by women probation officers, I may inform the hon. Member that the question of dealing with juvenile delinquencies on a more satisfactory basis is already under the consideration of the Government and the point raised by her will be borne in mind."

MR. PRESIDENT :—" The question is: 'That the Bill further to amend the Madras Probation of Offenders Act, 1947
4-45 p.m. (L.A. Bill No. 34 of 1947), as passed by the Assembly be taken into consideration at once.' "

The motion was put and carried.

Clause 2.

Clause 2 was put and carried.

Clause 3.

Clause 3 was put and carried.

Clause 1.

Clause 1 was put and carried.

Preamble.

The preamble was put and carried.

THE HON. SRI K. MADHAVA MENON :—" Sir, I now move—

'*that the Bill be passed into law.*' "

The motion was put and carried, and the Bill was passed into law.